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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,252	12/04/2003	Raghavendra Ts Prasad	H0005762	4668

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EXAMINER

HARTMAN JR, RONALD D

ART UNIT PAPER NUMBER

2121

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/727,252

Applicant(s)

RAGHAVENDRA ET AL

Examiner

Ronald D. Hartman Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-9, 11-15, 17, 18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 9, 11-15, 17, 18 and 20 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-5, 7-9, 11-15, 17-18 and 20 are presented for further examination.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/23/2006 has been entered.

### ***Claim Objections***

3. Claim 1, line 25, "said wire-based medium" lacks proper antecedent basis. Did the applicant mean, "said wire-based connection"?

Claim 1, line 22, change "to a second device" to "to a second field device".

Claim 4, the Examiner is confused as to what is meant by, "to cover the entire communication path ..." For examination purposes, this feature has been interpreted to be the functional equivalent of a wireless system which allows the client to communicate with the management station from anywhere within the facility.

Claims 15, 17 and 18, the applicant is once again kindly asked to correct the smashed text appearing in claims 15, 17 and 18, with respect to the Preambles.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

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granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5, 8-9, 11-15, 17-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Oberg et al., U.S. Patent Application Publication No. 2003/0061295.

In the interest of providing the Applicant with the rational behind the Examiner decisions, the Examiner will paraphrase each limitation so that the Applicant will understand how each limitation has been interpreted in light of the prior art of record.

Claim 1 recites: A method comprising:

- providing a wireless connection from a first client, wherein the wireless connection provides communication between the first client and a management station;
- enabling the operator to issue a first command from the first client to a first field device;
- transferring an indication from the first client to the management station on the wireless connection in response to the first command being issued by an operator, the indication indicating that the operator has issued a first command from the first client;
- forwarding the first command from the management station to the first field device on the control network in response to receiving the indication;
- whereby the operator manages a plurality of field devices using the first client and the wireless connection;
- also providing a wire-based connection between a second client and the management station;
- enabling the operator to issue another command from the second client, the another command being directed to a second field device;
- transferring another indication from the second client to the management station on the wire-based connection;
- forwarding the another command from the management station to the second field device upon receiving the another indication;

- whereby commands from the first client and the second client are channeled through the management station.

The aforementioned method appears to be adequately anticipated by a system that utilizes multiple devices (operator panels) to communicate with multiple field devices, so long as the system has the ability to allow at least one of the operator panels to communicate wirelessly with some intermediary (e.g. equivalent to the applicants claimed "management station") which then relays commands to a first field device, and wherein at least one of the operator panels also allows for communications to occur with the intermediary through utilization of a wired based medium, wherein the intermediary sends commands to a second field device. The applicant's claiming of an "indication" appears to be simply a command being issued as there is no distinction to the otherwise. Therefore, in its entirety, it appears the method claimed by way of claim 1, in light of the Examiners interpretation mentioned, it would appear that Oberg et al. adequately discloses this method and system for accomplishing the method since Oberg et al teaches remote control system for operating plant equipment in which each technician is assigned a mobile device (e.g. equivalent to utilizing more than one "client")(e.g. Figure 1 element 102 and [0010]), wherein the mobile devices may be wired to a LAN access point (e.g. [0010]) or may communicate with a wireless access point (e.g. Figure 1 element 106), so as to remotely monitor and control equipment (e.g. [0014]). As best understood by the Examiner, there does not appear to be any patentable difference between the method claimed by way of pending claim 1 and the system and methodology disclosed or taught by Oberg et al.

As per claim 3, Oberg et al's an accurate reading of Oberg et al. does not preclude the first mobile from issuing more than one command and since the purpose of Oberg et al. is to allow a remote operator the ability to remotely monitor and control equipment, it seems more than reasonable that this would occur by providing a system that is not limited to only one communication, and therefore it is believed that the

system disclosed by Oberg et al adequately discloses allowing the first mobile device to issue two commands.

As per claim 4, Oberg et al. adequately discloses the wireless connection being provided to cover the entire communication path between the management station and the first client (e.g. allowing the mobile device to communicate with equipment from anywhere within the facility, Figure 1).

As per claim 5, a wireless connection being provided between the first client and a network device, wherein the network device is connected to a network connecting the network device to the management station by a wire-based medium is inherent to a wired based LAN and therefore adequately contemplated by the disclosure of Oberg et al.

As per claim 8, the rejection of claim 1, from above, is equally applied herein since the addition of a data manager block appears to be the functional equivalent of the access points, whether they be wired or wireless in nature.

As per claims 9 and 15, it appears that the applicant has claimed a third indication being sent wirelessly to a third field, however the third field doesn't, by what is claimed, actually ever receive this indication (e.g. command), rather, the management station (e.g. intermediary) appears to provide a command back to the first client in relation to the third indication or command. This step is believed to be adequately anticipated by a response to a command which may come in many forms, and Oberg et al speaks to this feature by disclosing the collection of status information with regards to equipment being monitored and controlled, since if an operator makes a change to the equipment, the change will reflect on the mobile device by sending a signal from the field device indicating its status, which is then forwarded back to the mobile device, and this feature anticipated a response which is essentially what the applicant has claimed by way of pending claim 9 (e.g. See [0016], [0035] and [0036]).

As per claim 11, client handlers are inherent to the disclosure of Oberg et al since the system would not function without them, meaning the system of Oberg et al would fail completely from a communication standpoint if there was no way to handle the communication signals issued from the mobile device, intended for the field devices.

As per claim 12, establishing connections and instantiating wireless client handlers are both features inherent to wireless communications and therefore are adequately anticipated by the disclosure of Oberg et al.

As per claims 13 and 17, Oberg et al adequately discloses maintaining a central log containing information on said first command and second command by teaching the maintenance of a database which stored information about operator profiles and who can and cannot issue commands using the system (e.g. [0041] and [0042]).

As per claim 14, the rejection of claim 1, from above, is applied equally herein.

As per claim 18, the rejection of claim 1, from above, is applied equally herein.

As per claims 2 and 20, and upon further consideration, the rejection of claim 1, from above, is applied equally herein since it appears that the claimed "control network" may be interpreted to be the functional equivalent of Oberg et al.'s LAN, and therefore Oberg et al adequately anticipates using a LAN and a wireless communication network, that is, communicating using a "control network" AND communicating without using the control network, and these features adequately anticipate the pending features of newly presented claim 20.

***Allowable Subject Matter***

6. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As per claim 7, Oberg et al. does not specifically teach the method further comprising maintaining a central log of the first command, the second command and the another command in the management station, wherein the log is updated after the operator issues the first command, the second command and the another command respectively, in combination with the other claimed features and or limitations as claimed.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D. Hartman Jr. whose telephone number is (571) 272-3684. The examiner can normally be reached on Mon.-Fri., 11:00 - 8:30 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDH

Ronald D Hartman Jr.  
Patent Examiner  
Art Unit 2121

